

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE

WYNDHAM VACATION
RESORTS, INC.,

Plaintiff,

v.

TOA, LLC d/b/a THE OWNERS'
ADVOCATE,
DAVID HUMPHREY
a/k/a SCOTT DAVIDSON,
KURT W. BARTLETT,
and KAY METKO,

Defendants.

No. 09-00899

Judge Haynes

MOTION TO SET HEARING ON MOTION TO SHOW CAUSE

Plaintiff, Wyndham Vacation Resorts, Inc. (the "Plaintiff" or "Wyndham"), moves this Court to schedule a hearing on its Motion for Defendants to Show Cause. [Docket Entry No. 114].

In its Motion to Show Cause, Wyndham seeks an order requiring Defendants TOA, LLC d/b/a The Owners' Advocate ("TOA") and David Humphrey ("Humphrey") to show cause why they should not be held in contempt for their noncompliance with the temporary restraining order (the "TRO") issued by this Court on September 29, 2009, the preliminary injunction (the "Injunction") issued by this Court on October 13, 2009, and the Order Amending Preliminary Injunction (the "Amended Injunction") entered November 16, 2009. Wyndham is being prejudiced by Defendants' continuing violations of the above-referenced Orders of this Court and respectfully requests that the Court set a hearing on its second Motion to Show Cause.

ORDER
The motion
is on the table
the hearing is
set for April
8, 2010
at 3:00pm
W. H. Haynes
K. M. J.
3-31-10